

February 13, 2013

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

ROBERT E. AUFULDISH, PRESIDENT
JUDY MORAN, COMMISSIONER
DANIEL P. TROY, COMMISSIONER
AMY ELSZASZ, CLERK

JASON W. BOYD, COUNTY ADMINISTRATOR
LEGAL COUNSEL
JOEL DIMARE, BUDGET DIRECTOR
NEWS MEDIA

(Tape 2013-0213)

CALL TO ORDER: Commissioner Aufuldish called the meeting to order at 11:04 am, Wednesday, February 13, 2013.

ROLL CALL: Upon the roll being called all were present.

APPROVAL OF MINUTES: Upon a motion by Commissioner Troy, seconded by Commissioner Moran, the minutes of the meeting of February 5, 2013 were approved as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy

"NAYS": None

OPEN TO THE PUBLIC: Commissioner Aufuldish asked if anyone in the audience wished to address the Board. No one present addressed the Board.

RESOLUTIONS:

1. RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS WATER FUND FOR THE LAKESHORE BOULEVARD WATERLINE REPLACEMENT PROJECT 332W, OPWC CG36P/CG37P WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO (20130213\U01) (UT-23)

Commissioner Aufuldish: There is a \$380,000 grant and the project cost is \$1.6 million.

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

2. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH ARCADIS US, INC. FOR A SEWER COMPREHENSIVE FINANCIAL PLAN (20130213\U02) (UT-4)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

3. RESOLUTION ESTABLISHING A FUND TO BE KNOWN AS HEATHERSTONE WWTP STUDY 349S WITH VARIOUS REVENUE AND APPROPRIATION LINES AND TRANSFERRING CASH (20130213\U03) (UT-2)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

4. RESOLUTION HIRING CAROL BOWEN TO THE POSITION OF ACCOUNT CLERK/BILLING IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE FEBRUARY 25, 2013 (20130213\U04) (UT-3)

Commissioner Troy: This is filling a vacancy due to a transfer.

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

5. RESOLUTION RECLASSIFYING KERRY TROY TO THE POSITION OF OPERATOR I AT AN HOURLY SALARY OF \$18.77 IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE FEBRUARY 25, 2013 (20130213\U05) (UT-3)

On a motion of Commissioner Moran, seconded by Commissioner Aufuldish, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish and Moran "ABSTAIN": Commissioner Troy

6. RESOLUTION ACCEPTING THE RESIGNATION OF KAREN PETERSON FROM HER POSITION OF OPERATIONS SUPERVISOR WITH THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE FEBRUARY 15, 2013 (20130213\U06) (UT-3)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

7. RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT I TO THE SERVICE AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND CATHOLIC CHARITIES COMMUNITY SERVICES FOR THE IN-SCHOOL YOUTH PROGRAM (20130213\JFS01) (JFS-2)

Matt Battiato, Director of Job and Family Services: This is a contract that we have in place and this will just shift funding from a mileage and transportation line item to a compensation line item. It is not increasing the amount of the contract.

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

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8. RESOLUTION APPOINTING MIGUEL NIEVES TO THE POSITION OF CLERK 1 IN THE SHARED DIVISION OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, EFFECTIVE FEBRUARY 19, 2013 (20130213\JFS02) (JFS-4)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

9. RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN TEC INC. ENGINEERING AND DESIGN AND THE LAKE COUNTY BOARD OF COMMISSIONERS IN AN AMOUNT NOT TO EXCEED \$4,500.00 (20130213\C01) (C-7)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

10. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH CYA PLUMBING IN AN AMOUNT NOT TO EXCEED \$17,850.00 (20130213\C02) (C-7)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

11. RESOLUTION DECLARING A REAL AND PRESENT EMERGENCY UNDER OHIO REVISED CODE 307.86 (A)(2) AND DETERMINING THE NECESSITY TO PROCEED WITH REPAIRS AT THE LAKE COUNTY CLERK OF COURTS AND LAKE COUNTY PROBATE COURT DUE TO A WATER LINE BREAK IN THE CITY OF PAINESVILLE, OHIO AND, IN COOPERATION WITH CORSA AND CUSTARD INSURANCE ADJUSTERS INC., AUTHORIZING EXECUTION OF CONTRACTS FOR HAZARD MITIGATION AND REPAIRS TO ALLEVIATE THE THREAT TO PUBLIC SAFETY (20130213\C03) (C-7)

Chuck Klco, Buildings & Grounds Supervisor: This has to do with a waterline break and is being overseen by CORSA our insurance company. Under Ohio Law we have to claim this as an emergency. And, CORSA suggested using a local contractor and we went with Yanesh Brothers.

Commissioner Troy: This is a result of a domestic water main break that took place due to a rapid pressurization of the system by the City of Painesville Water Department. As a result, we had a pipe that broke and flooded the first floor of the West Annex Facility. But, most of the damage went down into the basement area. We have been working with CORSA, our insurance company, in terms of what contractors to use and approvals of damage. Primarily, this is for work done in the Clerk of Courts area located in the basement. The insurance agency has approved replacement of carpet on the first floor, which is the extent of the damage in this area. And, as soon as we can make arrangements with this occupant on the first floor, we will be able to replace the carpet.

Jason Boyd, County Administrator: I would like to add that this was an emergency event that led to a disaster in the facility. And, with the actions prescribed by CORSA and Chuck Klco, our Buildings & Grounds Supervisor, it prevented additional damage to the courts and the Clerk of Courts area.

Commissioner Aufuldish: We thank Chuck and his crew for their top notch response to this problem in making sure that the water in most areas was cleaned up.

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

12. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH HACH EXCAVATING FOR THE INSTALLATION OF DRAINAGE PIPES IN AN AMOUNT NOT TO EXCEED \$22,000 (20130213\C04) (C-7)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

13. RESOLUTION AUTHORIZING EXECUTION OF A 3-YEAR MAINTENANCE AGREEMENT BETWEEN ROBERTS MECHANICAL EQUIPMENT COMPANY AND THE LAKE COUNTY BOARD OF COMMISSIONERS FOR TESTING OF BOILERS IN COUNTY BUILDINGS (20130213\C05) (C-7)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

14. RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL CONSULTING SERVICES AGREEMENT BETWEEN MAXIMUS, INC. AND THE LAKE COUNTY BOARD OF COMMISSIONERS IN AN AMOUNT NOT TO EXCEED \$18,000.00 (20130213\C06) (202-F)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

15. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,315,031.54 (20130213\BC01) (C-4)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

16. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$791,067.17 (20130213\BC02) (C-17)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

17. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS GENERAL FUND ACCOUNTS (20130213\BC03) (C-111)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: “AYES”: Commissioners: Aufuldish, Moran and Troy “NAYS”: None

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18. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS NON-GENERAL FUND ACCOUNTS
(20130213\BC04) (C-111)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

UTILITIES: None

STORMWATER: None

JOB AND FAMILY SERVICES: Commissioner Troy and Matt Battiato, Job and Family Services Director briefly discussed the proposed Expansion of Medicaid, which still has to get through the General Assembly to enact what the Governor has proposed. The state is going to create a new Department of Medicaid and a new cabinet position under the Governor. But, on a local level it will still flow through Job and Family Services Department in terms of the Medicaid eligibility. It is unknown at this point, whether money will be provided from the state for additional staff to deal with the influx of additional folks that now qualify. There are ideas floating out there regarding other options for applying for Medicaid eligibility instead of an in-office face-to-face interview. Medicaid is absolutely the most complex program that Job and Family Services has in terms of public assistance. Briefly discussed was another idea floating around for presumptive eligibility in terms of Medicaid. Job and Family Services will wait for the final language from the state.

Commissioner Troy: CCAO was in support of the Expansion of Medicaid with the stipulation that if there were additional administrative responsibilities imposed upon counties that there would be resources and personnel provided by the state.

COUNTY ADMINISTRATOR: None

DIRECTOR OF ADMINISTRATIVE SERVICES: None

FINANCE: Commissioner Troy and Joel DiMare, Budget Director briefly discussed that there are two more budget hearings next week. Mr. DiMare is currently compiling the budget and it should be complete for the February 26th or 28th meeting. Some corrective measures might have to take place down the road depending on how the expansion of the sales tax base shakes out.

CLERK: None

LEGAL: None

OLD BUSINESS: There was no old business.

NEW BUSINESS: Commissioner Troy: We have a CCAO Board Meeting on Friday where a lot of questions will be discussed in terms of the proposed budget. The Director of the Department of Natural Resources will be talking about oil and gas drilling, a big issue within the southeast Ohio counties.

Commissioner Aufuldish: Our next meeting will be Thursday, February 21, 2013 at 10 am.

PUBLIC COMMENT: Mr. Muzik, Painesville Township was informed after asking that Resolution 8 was a replacement hire.

Mr. Muzik also asked what are the state and federal rules in terms of monies for the Medicaid expansion?

- Mr. Battiato answered that it is the same coverage that is in place now, and just an expansion of the eligible population.
- Job and Family Services will wait to receive the determination of the rules and eligibility from the state.

Commissioner Aufuldish: The Lake County Land Reutilization Corporation Board of Directors known as the Land Bank will meet tomorrow at 3 pm on the 5th floor.

EXECUTIVE SESSION: On a motion of Commissioner Moran, seconded by Commissioner Troy, the Board convened an Executive Session at 11:31 am to discuss threatened litigation matters, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 11:31 am.

The Lake County Board of Commissioners reconvened Executive Session at 11:40 am.

On a motion of Commissioner Troy, seconded by Commissioner Moran, the Board terminated the Executive Session at 1:12 pm, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

RESOLUTION PRESENTED BY CAPTION:

19. RESOLUTION DECLARING A REAL AND PRESENT EMERGENCY UNDER OHIO REVISED CODE 307.86 (A)(2) AND DETERMINING THE NECESSITY TO PROCEED WITH REPAIRS AT THE LAKE COUNTY JAIL AND AUTHORIZING EXECUTION OF CONTRACTS FOR HAZARD MITIGATION AND REPAIRS TO ALLEVIATE THE THREAT TO PUBLIC SAFETY (20130213\C07) (C-7)

On a motion of Commissioner Troy, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

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Mike DeLeone: Commissioners, in speaking with Chuck Klco, Buildings & Grounds Supervisor there is a real and present emergency. There is a disaster to the structure, there is roof damage, failure to the roof that would impede the functioning of the jail if not repaired immediately, which would fit under 307.86, (A)(2) of the Ohio Revised Code as damage to the structure that is a physical disaster. The roof is essentially blowing off.

ADJOURN: On a motion of Commissioner Troy, seconded by Commissioner Moran, the Board adjourned the meeting at 1:19 pm, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

Minutes approved this 21st day of February, 2013.

BOARD OF LAKE COUNTY COMMISSIONERS

ROBERT E. AUFULDISH, PRESIDENT

JUDY MORAN, COMMISSIONER

DANIEL P. TROY, COMMISSIONER

AMY ELSZASZ, CLERK